

**OPINION
46-74**

March 29, 1946 (OPINION)

DANCES

RE: Public-Minors Prohibited

This will acknowledge the receipt of your letter of March 27, 1946, in which you request our opinion as to whether or not it is lawful for both grade and high school students to attend public dances.

Section 53-0210 of the 1943 Revised Code provides:

"No proprietor, lessee, manager, nor employee of any hall, room, pavilion, bowery, platform, or other structure in or to which the public generally is invited to participate by paying an admission fee in money or other token of value shall admit, while dancing is practiced in or at such place, any person under the age of eighteen years unless such person is accompanied by a parent or guardian."

Section 53-0211 of the 1943 Revised Code provides:

"A copy of section 53-0210 shall be posted in a conspicuous place at the entrance of every public dancing place."

It is the duty of local officers to enforce these statutes and if enforced the condition of which you complain would be remedied. The penalty for violating the sections of the code quoted above is found under section 53-0215. It provides that any person violating said sections shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$25.00 nor more than \$100.00, or by imprisonment in the county jail for not less than ten days nor more than thirty days, or by both such fine and imprisonment.

NELS G. JOHNSON

Attorney General